

IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE  
DIVISION I

STATE OF TENNESSEE

VS.

PERRY AVRAM MARCH

CASE NO: 99-B-1290

**MOTION IN LIMINE 1**

The Office of the District Attorney General, prosecuting on behalf of the State of Tennessee, moves this Court to instruct the defense attorney and witnesses, not to mention in the presence of the jury during any portion of the trial of this cause, any information relating to an escrow account which was opened on October 2, 1996 by the law firm of Levine, Mattson, Orr, and Geraciotti after the defendant left the firm. The money that was placed into the account was money that came into the firm after the defendant left the firm, from the defendant's personal accounts/clients.

Any and all evidence relating to the account and the money placed into the account should be excluded pursuant to Rule 402 of the Tennessee Rules of Evidence.

At the center of this case are three checks paid to the defendant. One check was written to the defendant on October 8, 1996 by Paul Eichel. This check was written to the defendant for work performed by the defendant on behalf of Mr. Eichel through September 15, 1996. The second and third checks were written to the defendant on October 8, 1996 and October 22, 1996 by Elliott Greenberg. These checks were written to the defendant for work done by the defendant on behalf of Mr. Greenberg beginning in early 1994. The October 8, 1996 Greenberg check was a partial payment of the total amount requested by the defendant. The October 22,

1996 check was the remainder of the amount requested by the defendant, and no additional work was performed by the defendant between October 8, 1996 and October 22, 1996.

Because the trust account was created on behalf of the defendant and no deposits were made to the account which involve Paul Eichel or Elliott Greenberg, the existence of the account and the funds in the account are not relevant to this cause.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Amy Eisebeck", written over a horizontal line.

Amy H. Eisebeck  
Tenn. Sup. Ct. Reg. #021865  
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### CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been mailed to Ed Fowlkes, 172 2<sup>nd</sup> Avenue North, Suite 218, Nashville, Tennessee 37201, on this the 4<sup>th</sup> day of April, 2006.

Amey Eisenback